

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 19, 1999**

CRIM
No.
G022210

THE PEOPLE
v.
GEORGE ELBERT LACY

(Not for publication)

Opinion filed. Judgment reversed.

Sills, P.J.

We concur: Crosby, J.
Rylaarsdam, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 20, 1999**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are: Sills, P.J., Rylaarsdam, J., and Seymour, J.* J. McElroy, Deputy Clerk attending.

CIVIL JAMES TABOR
No. v.
G021017 ORANGE COUNTY SUPERIOR COURT

Merits. Cause called. Victor E. Hobbs argues for appellant. Ellen E. Hunter argues for respondent. Cause submitted.

CIVIL CATHERINE CROISSETTE
No. v.
G024041 JULIA E. BOXLEY

Merits. Cause called. William S. Hulsy argues for appellant. Matthew K. Ross argues for respondent. Cause submitted.

CIVIL GRUBB & ELLIS CO.
No. v.
G020471 CAPITAL PACIFIC HOMES, INC.

Merits. Cause called. David C. Grant argues for appellant. Elyse M. Tish argues for respondent. Cause submitted.

CIVIL DOY THANONG MULFORD
No. v.
G021423 CITY OF ANAHEIM

P. Merits. Cause called. Scott E. Schutzman argues for appellant. Deborah Knefel, Deputy City Attorney argues for respondent, City of Anaheim. Robert Q. Shupe argues for respondent, B.D.F. Corp.

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 20, 1999 (Cont'd)**

CIVIL EVANGELINE PATERAS
No. v.
G020771 GEORGE PATERAS

Merits. Cause called. James R. Goff argues for appellant. Robert L. Vedell argues for respondent. Cause submitted.

CIVIL EL TORO MATERIALS COMPANY
No. v.
G021211 INSURANCE COMMISSIONER; W. C. A. B.

Merits. Cause called. John N. Frye argues for appellant. Ronald K. Van Wert argues for respondent. Appellant and Respondent may file a letter brief no later than 5:00 p.m. on August 6, 1999, addressing the questions the court has raised. Cause to be submitted. on August 6, 1999.

CIVIL MONARCH BAY II
No. v.
G021030 REGIS CONSTRUCTION COMPANY

Merits. Cause called. Steven L. Sloca argues for appellant. Amy L. Lewis argues for respondent. Cause submitted.

CIVIL ELEANOR VELEKEI
No. v.
G021094 ANCHOR PACKING CO.

Merits. Cause called. James W. Parker argues for appellant. Bruce A. Wagman argues for respondent, Georgia-Pacific. Robert H. Baronian argues for respondent, Anchor Packing. G. Calvin Hutchison argues for respondent, U.S. Mineral Products. Lisa Schwartz Tudzin argues for respondent, Kaiser Aluminum & Chemical. Karol H. Ingber argues for respondent, Sugden Engineering. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 20, 1999**

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and Seymour, J.* J. McElroy, Deputy Clerk attending.

CIVIL JIM HILDEBRANDT
No. v.
G023581 NEWPORT SKI COMPANY

Order to Show Cause re Court Reporter William Pay, CSR. William Pay present in court. Orange County Superior Court has informed this court that the reporter's transcript was filed just prior to 12:00 noon. Order to Show Cause discharged.

CIVIL COUNTY OF ORANGE
No. v.
G024852 MARY STANLEY TURNER

Order to Show Cause re Court Reporter Linda Mayer, CSR. Linda Mayer present in court with her counsel Ron Talmo. Orange County Superior Court has informed this court that the reporter's transcript was filed this date. Order to Show Cause discharged.

CIVIL ORANGE COUNTY SOCIAL
 SERVICES AGENCY
No. v.
G024759 DENNIS P. et al.

Merits. Cause called. Marsha F. Levine argues for appellant, Jennifer Gerrard. Lori A. Fields argues for appellant, Dennis P. Rachel Bavis, Deputy County Counsel argues for Social Services Agency. Karen Cianfrani argues for the minor. Cause submitted.

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 20, 1999 (Cont'd)**

CIVIL DONALD W. COOK
No. v.
G020658 BRUCE PRAET

Merits. Cause called. Appellant, Donald W. Cook argues on his own behalf. Jeffrey M. Epstein argues for respondent. Cause submitted.

CIVIL JOHN L. UHL
No. v.
G020060 GWAN H. KIM

Merits. Cause called. John Chakmak argues for appellant. Andrew McCarron argues for respondent. Cause submitted.

CIVIL MEHRAN AFRASIABI
No. v.
G021060 STATE FARM FIRE & CASUALTY COMPANY

Merits. Cause called. Neal Anapol argues for appellant. Randal M. Nunn argues for respondent. Cause submitted.

CIVIL CITY OF CERRITOS
No. v.
G023878 CITY OF LaPALMA

Merits. Cause called. Tracy M. Noonan argues for appellant. Hans VanLigten argues for respondent, City of LaPalma. Edward N. Duran, Deputy County Counsel argues for respondent, County of Orange. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 20, 1999 (Cont'd)**

CIVIL HAWTHORNE SAVINGS & LOAN
No. v.
G019963 BACCARAT ELECTRONICS INC.

Merits. Cause called. David J. Rude argues for appellant. M. Steven Andersen argues for respondent. Cause submitted.

Court declared a recess.

CRIM THE PEOPLE (Not for publication)
No. v.
G022482 HARVEY ROSAS

Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Bedsworth, J.
 Scoville, J.*

CRIM THE PEOPLE (Not for publication)
No. v.
G022282 GERALD RAY BERNIUS

Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Bedsworth, J.
 Scoville, J.*

CRIM THE PEOPLE (Not for publication)
No. v.
G022335 DAVID R. LONGORIA

Judgment affirmed.

Sills, P.J.

We concur: Crosby, J.
 Rylaarsdam, J.

*Retired Presiding Justice of the Court of Appeal, Fourth District, assigned by the Chief Justice pursuant to article VI, section 5 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 20, 1999 (Cont'd)**

CIVIL	JON HOCKEY	(Not for publication)
No.	v.	
G020648	CITY OF CYPRESS	

Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Crosby, Acting P.J.
Scoville, J.*

CIVIL	BERGELECTRIC CORPORATION	(Not for publication)
No.	v.	
G017677	BLAKE CONSTRUCTION CO., INC. et al.	

Opinion filed. Judgment affirmed in part and reversed in part, with directions.

Bedsworth, J.

We concur: Crosby, Acting P.J.
Scoville, J.*

CIVIL	MICHAEL D. DOYLE	(Not for publication)
No.	v.	
G018393	JOHN W. HILL et al.	

Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Crosby, Acting P.J.
Scoville, J.*

*Retired Presiding Justice of the Court of Appeal, Fourth District, assigned by the Chief Justice pursuant to article VI, section 5 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 21, 1999**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Crosby, Acting P.J., Bedsworth, J., and Scoville, J.* J. McElroy, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G022504	THOMAS REX TOBIN

Merits. Cause called. Joyce M. Keller argues for appellant. Rhonda Cartwright Ladendorf, Deputy Attorney General argues for appellant. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G023354	NADINE CELESTE ANASTASIA

Merits. Cause called. Stephen Gilbert argues for appellant. Craig Nelson, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G023347	JUAN ALEXANDER MONTES

Ilana	Merits. Cause called. Richard L. Schwartzberg argues for appellant. Cohen, Deputy Attorney General argues for respondent. Cause submitted.
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CRIM	THE PEOPLE
No.	v.
G022872	JACKIE ROMERO GUTIERREZ

Merits. Cause called. Debi A. Ramos argues for appellant. Keith Motley, Deputy Attorney General argues for respondent. Cause submitted.

****Retired Presiding Justice of the Court of Appeal, Fourth District, assigned by the chief Justice pursuant to article VI, section 6 of the California Constitution.**

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 21, 1999 (Cont'd)**

CIVIL	EMPLOYERS INSURANCE OF WAUSAU
No.	v.
G019782	FIREMAN'S FUND INSURANCE COMPANY

Merits. Cause called. Bryan M. Barber argues for appellant. Donald T. McMillan argues for respondent. Cause submitted.

Court declared a recess.

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., and Seymour, J.* J. McElroy, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G022705	TERESA SANCHEZ

Merits. Cause called. John L. Dodd argues for appellant. Warren Robinson, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G022385	ANTONIO CRUZ SEGOVIA

Merits. Cause called. John L. Dodd argues for appellant. Randall Einhorn, Deputy Attorney General argues for respondent. Cause submitted.

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 21, 1999 (Cont'd)**

CRIM THE PEOPLE
No. v.
G022308 DANA KAWAMURA
G023803

Merits. Cause called. R. Clayton Seaman argues for appellant. Warren Robinson, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G022375 AVALINA TORRES

Merits. Cause called. Paul R. Ward argues for appellant. Holly Hoffman, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G022616 PIO PROMOTOR VELASQUEZ

Merits. Cause called. Michael Garey argues for appellant. Pat Zaharopoulos, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G023407 LAWRENCE ERNEST PETERSON

Merits. Cause called. Edward A. Hoffman argues for appellant. Marvin Mizell, Deputy Attorney General argues for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 21, 1999 (Cont'd)**

CRIM THE PEOPLE
No. v.
G022194 CASIMIRO LEON

Dan Mrotek argues for appellant. Megan Beale, Deputy Attorney General argues for respondent. Appellant and Respondent have until 5:00 p.m. on August 6, 1999 in which to file a supplemental letter brief . Cause to be submitted on August 6, 1999.

CIVIL GABRIEL ACOSTA
No. v.
G021184 COUNTY OF ORANGE

Merits. Cause called. Peter A. Schey argues for appellant. S. Frank Harrell argues for respondent. Cause submitted.

CIVIL WALK-IN REALTORS, INC.
No. v.
G020803 LISA MORGAN

Merits. Cause called. Steven M. Rubenstein argues for appellant. Robert S. Kostrenich argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 21, 1999 (Cont'd)**

Court reconvened. Panel members are Crosby, Acting P.J., Rylaarsdam, J., and Seymour, J. J. McElroy, Deputy Clerk attending.

CIVIL	DAVID RESE
No.	v.
G020962	PHILIP A. LEVY

Merits. Cause called. Robert M. Dato argues for appellant. Nancy Bunn argues for respondent. Cause submitted.

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

Court declared a recess.

CRIM	THE PEOPLE	(Not for publication)
No.	v.	
G021910	GREGORY JASON CHANDLER et al.	

Opinion filed. Judgment affirmed as modified.

Rylaarsdam, J.

We concur: Sills, P.J.
Bedsworth, J.

CIVIL	ORANGE COUNTY SOCIAL	(Not for publication)
	SERVICES AGENCY	
No.	v.	
G024228	PERRY B.	

Opinion filed. Judgment affirmed.

Crosby, J.

We concur: Sills, P.J.
Rylaarsdam, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 21, 1999 (Cont'd)**

CIVIL JANET R. ELERDING as Trustee, etc. (Not for publication)
No. v.
G025401 THE SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE;
GLENN ENIL LEDESMA

Rylaarsdam, J.

We concur: Sills, P.J.
Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 22, 1999**

Court reconvened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Bedsworth, J., and Seymour, J.* J. McElroy, Deputy Clerk attending.

CIVIL	DOUGLAS R. WISER
No.	v.
G019370	PACIFIC INLAND BANK

Merits. Cause called. Edward A. Hoffman and Richard P. Dieffenbach argue for appellant. Dennis F. Fabozzi argues for respondent. Cause submitted.

Court declared a recess.

Court reconvened. Panel members are Sills, P.J., Rylaarsdam, J., and Bedsworth, J. J. McElroy, Deputy Clerk attending.

CIVIL	JOHN J. MOBILIA
No.	v.
G020164	ROGERSON AIRCRAFT CORPORATION

Merits. Cause called. Thomas J. Borchard argues for appellant. Maureen Baur present for appellant but presented no argument. John B. Marcini argues for respondent. Cause submitted.

CIVIL	NEWPORT COAST DRIVE DEFENSE FUND
No.	v.
G020843	SAN JOAQUIN HILLS TRANSPORTATION et al.

Merits. Cause called. James Toledano argues for appellant. John J. Flynn III argues for respondent, San Joaquin Hills Transportation. Edward N. Duran, Deputy County Counsel argues for respondent. Cause submitted.

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 23, 1999**

Court reconvened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Crosby, Acting P.J., Bedsworth, J., and Seymour, J.* J. McElroy, Deputy Clerk attending.

CIVIL	COUNTY OF ORANGE
No.	v.
G024750	ORANGE COUNTY SUPERIOR COURT; MID-CENTURY INSURANCE

Merits. Cause called. Jim Persinger, Deputy County Counsel argues for petitioner. Joel Drum argues for real party in interest. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G022376	CANO GARCIA

Merits. Cause called. Michael Satris argues for appellant. Craig Nelson, Deputy Attorney General argues for respondent. Cause submitted.

CIVIL	BTI
No.	v.
G020711	THE EQUITABLE LIFE ASSURANCE SOCIETY

Richard	Merits. Cause called. Christian F. Dubia, Jr. argues for appellant. D. Fybel argues for respondent. Cause submitted.
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CIVIL	JW CONTRACTING CORPORATION
No.	v.
G020585	YORBA LINDA WATER DISTRICT

Merits. Cause called. James P. Reid argues for appellant. Gary D. Grant argues for respondent, Yorba Linda Water District. David L. Brault argues for respondent, P.R. Burke Corporation. Cause submitted.

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

CIVIL	ELMER HENRY THOMASSEN et al.
No.	v.
G019893	SPACE SAVER OF WESTMINSTER, INC.

Court declared a recess.

We concur: Sills, P.J.
Crosby, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 26, 1999**

CRIM
No.
G024180

THE PEOPLE
v.
CHARLES EUGENE THOMAS

(Not for publication)

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Crosby, J.
Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 27, 1999**

No minutes for this date

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 28, 1999**

CIVIL	ORANGE COUNTY SOCIAL	Not for publication
	SERVICES AGENCY	
No.	v.	
G024244	GRISELDA M.	

Opinion filed. Judgment affirmed.

Bedsworth, J.

We concur: Crosby, Acting P.J.
Rylaarsdam, J.

CIVIL	ORANGE COUNTY SOCIAL	Not for publication
	SERVICES AGENCY	
No.	v.	
G024115	VICTOR M.	

Opinion filed. Appeal dismissed.

Rylaarsdam, J.

We concur: Sills, P.J.
Bedsworth, J.

CIVIL	JAMES TABOR	Not for publication
	v.	
No.	THE SUPERIOR COURT OF	
G021017	ORANGE COUNTY et al.	

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Rylaarsdam, J.
Seymour, J.*

*Judge of the Orange County Superior Court, assigned by the chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 28, 1999 (Cont'd)**

CIVIL	RONALD WITENKO	Not for publication
No.	v.	
G021027	MICHAEL LAWTON	

Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Bedsworth, J.
Scoville, J.*

CIVIL	JEANNE KOESTER	Certified for publication
No.	v.	
G019901	FREDERICK W. KOESTER	

Opinion filed. Judgment reversed with directions.

Sills, P.J.

We concur: Crosby, J.
Rylaarsdam, J.

*Retired Presiding Justice of the Fourth District Court of Appeal, Division Three, assigned by the Chief Justice.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 29, 1999**

CRIM
No.
G021821

THE PEOPLE
v.
SHAROD BILLY VALENTINE

Not for publication

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Crosby, J.
Rylaarsdam, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 29, 1999**

CRIM No. G024092	In re ADRIAN BEN CERVERA on Habeas Corpus	Not for publication
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Opinion filed. Writ denied.

Sills, P.J.

We concur: Crosby, J.
Rylaarsdam, J.

CRIM No. G022828	THE PEOPLE v. ARMANDO CARILLO GONZALEZ	Not for publication
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Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Crosby, Acting P.J.
Bedsworth, J.

CIVIL No. G020226	RICHARD MARSHACK v. BAKER & McKENZIE	Not for publication
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Opinion filed. Judgment reversed.

Sills, P.J.

We concur: Crosby, J.
Rylaarsdam, J.

CIVIL No. G023162	ARDESHIR ASGARI v. CITY OF LOS ANGELES et al.	Not for publication
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Opinion filed. Judgment affirmed.

Crosby, Acting P.J.

We concur: Rylaarsdam, J.
Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 29, 1999**

CIVIL	GLENDAL FEDERAL BANK	Not for publication
No.	v.	
G020633	NANCY HADDEN	

Opinion filed. Judgment affirmed.

Rylaarsdam, J.

We concur: Sills, P.J.
Crosby, J.

CIVIL	GEORGE BLAIS et al	Not for publication
No.	v.	
G019103	REORGANIZED CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS et al	

Opinion filed. Judgment affirmed in part and reversed in part
Sills, P.J.

We concur: Crosby, J.
Rylaarsdam, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 30, 1999**

CRIM No. G025483	In re JUAN CARLOS DIAZ on Habeas Corpus	Not for publication
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Opinion filed. Petition granted.

Sills, P.J.

We concur: Rylaarsdam, J.
Seymour, J.*

CRIM No. G025361	In re CESAR PECHECO on Habeas Corpus	Not for publication
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Opinion filed. Petition granted.

Sills, P.J.

We concur: Rylaarsdam, J.
Seymour, J.*

CRIM No. G022730	THE PEOPLE v. EDWARD RAY GENTRY	Not for publication
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Opinion filed. Judgment affirmed.

Crosby, J.

We concur: Sills, P.J.
Rylaarsdam, J.

CIVIL No. G024190	ORANGE COUNTY SOCIAL SERVICES AGENCY v. CHRISTINA W.	Not for publication
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Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Rylaarsdam, J.
Bedsworth, J.

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 30, 1999**

CIVIL	LARRY HUGHES	Not for publication
No.	v.	
G022367	LINDA JEAN WALKER	

Opinion filed. Judgment affirmed in part, reversed in part and remanded.
Bedsworth, J.

We concur: Rylaarsdam, Acting P.J.
Sonenshine, J.*

CIVIL	FRANCES M. STEFFEN	Not for publication
No.	v.	
G020803	WALK-IN REALTORS et al.	

Opinion filed. Judgment affirmed and remanded.
Seymour, J.**

We concur: Sills, P.J.
Rylaarsdam, J.

CIVIL	MEHRAN AFRASIABI	Not for publication
No.	v.	
G021060	STATE FARM FIRE & CASUALTY	

Opinion filed. Judgment affirmed.
Seymour, J.**

We concur: Sills, P.J.
Rylaarsdam, J.

*Retired Associate Justice, Court of Appeal, Fourth Appellate District, assigned by the chief Justice pursuant to article VI, section 6 of the California Constitution.

**Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
July 30, 1999**

CIVIL	GRUBB & ELLIS COMPANY	Not for publication
No.	v.	
G020471	CAPITAL PACIFIC HOMES, INC. et al.	

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Rylaarsdam, J.
Seymour, J.*

CRIM	In re KEVIN THOMAS WEBER	Not for publication
No.	on Habeas Corpus	
G025385		

Opinion filed. Petition granted.

Sills, P.J.

We concur: Rylaarsdam, J.
Seymour, J.*

*Judge of the Orange County Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.